



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

to human convenience and happiness. Our whole militia system, with its long train of vices and its vexatious interruptions of labor, would be swept away. The arts of peace would alone be cultivated, and would yield comforts and enjoyments in a profusion and perfection of which mankind has witnessed no parallel. In the expressive language of Scripture, our citizens would each "sit under his own vine and under his own fig-tree, with none to make him afraid," and our peaceful and happy republic would be an example to all lands.

It is impossible that a scene so bright and lovely should not attract the admiration and attention of the world. The extension of education in Europe, and the growing freedom of her institutions, are leading her population to think, and to express their thoughts. The governments of the eastern continent, whatever may be their form, are daily becoming more and more sensitive to popular opinion. The people, already restive under their burdens, would soon discover that those burdens would be reduced, if not wholly removed, by the adoption of the American policy, and they would inquire why they were denied the blessings of peace. Before long some minor states would commence the experiment, and the example would be followed by others. In time these treaties would be merged in more extensive alliances, and a greater number of umpires would be selected; nor is it the vain hope of idle credulity that at last a union might be formed of every Christian nation for guaranteeing the peace of Christendom, *by establishing a tribunal for the adjustment of national differences, and by preventing all forcible resistance to its decrees.*

---

#### SUGGESTIONS ON THE PRINCIPLE OF ARBITRATION.

BY THOMAS C. UPHAM, BRUNSWICK, MAINE.

One object of the Peace Societies which exist in different countries, is to take measures for the establishment of a congress of nations, in the belief and expectation, that such a congress will be able, either directly or indirectly, to secure the permanent pacification of the world. This object is vast, magnanimous, Christian; and although its announcement was met with the sneer of the skeptic, and the ridicule of the worldling, it is winging its way, with a sure and rapid progress, to the consciences of rulers, and to the affections of the friends

of humanity. Nevertheless, so vast is the object in its practical operation as well as in its conception, and so slow are national movements even in the fulfilment of well established national convictions, that some time must probably elapse, before the world will witness the formation and the results of such an Assembly. In the mean time, while the seeds of thought on this great subject are germinating, and in due season the strong tree and the fruits, meet for the "healing of the nations," will appear; it has seemed to me, that we might, to some extent, be directing our attention, and laboring effectually in some other way. The subordinate object, therefore, which I would introduce to the consideration and the efforts of the American Peace Society, is to take immediate measures, by means of petitions to the Senate and the President of the United States, by discussions, and lectures, and in other suitable ways, with a view to secure the express and stipulated introduction of the principle of arbitration into all the treaties between the United States and other countries.

I. And in the first place, it seems to be proper, that a few words should be said on the nature of the principle in question. The principle of arbitration, in its application to nations, is essentially this. It is a formal agreement or stipulation between nations, to leave the settlement of controverted questions, which cannot be satisfactorily and amicably adjusted by the immediate parties, to the decision of a third party mutually chosen. Its power as an international principle depends upon the obligation attending an agreement or promise. The source of this obligation is seated in the structure of our mental nature. And as nations are made up of individuals, the obligation is felt nationally as well as individually. As a general statement, it will certainly be admitted to be true, that no individual can deliberately and voluntarily violate his agreement or promise, without doing violence to his moral nature. Nations, in the eye of the law of nations, are "moral persons," possessing those attributes of perception, moral feeling and will, which constitute a moral agent. And accordingly, no nation can deliberately and knowingly violate its solemnly made agreement, without doing violence to its own nature as a moral person. It is bound by the inherent necessities of its being. It can never, in the matter of a formal and fair agreement, deviate from the line of rectitude, without incurring the deep punishment of self-disgrace, and of the

disapproval and abhorrence of mankind. The principle, therefore, is not like a house built upon the sand, but has a strong basis in our mental constitution.

II. I observe, in the second place, that the principle of arbitration is an intelligible one ; that is to say, it is easily understood and appreciated by the common mind. Men have seen it efficaciously adopted in common life ; they have witnessed its prompt and beneficial application ; and having witnessed and understood its application among individuals, they are prepared to understand and appreciate it hypothetically as applied among nations. Consequently we shall have, in bringing this subject before the public, a great advantage. We do not possess an equal advantage in bringing before the public the subject of a Congress of Nations. In order to be embraced easily on its first proposition, the idea of a Congress of Nations implies a degree of historical reading, and a maturity and expansion of thought, which are not ordinarily to be expected. It is a great conception ; great even to sublimity ; as wide as the world in its comprehension, and bearing the signature of Heaven in its benevolence. We must become acquainted with it by degrees ; by repeated teachings ; by solitary contemplation ; by the inspirations of Christian benevolence, which, more than any thing else, gives, on all moral subjects, the highest possible expansion to the intellect. But the principle of arbitration is only one of the elements, embraced in the general doctrine of a Congress of Nations. It may be disintegrated from the mass of other conceptions, and set before the mind as a very simple thing, as a matter easily to be understood ; and yet efficacious in its simplicity, scarcely susceptible, by any possibility, of evil, and full of the promise of incalculable good. The mind of the masses, which is not destitute of an instinctive perception of truth within the range of its vision, will receive it at once ; will appreciate it ; will act upon it. And this certainly is a recommendation of very great value.

III. The principle of arbitration, while it is well understood, and frequently practised in common life, has also been applied among nations to such an extent, as to decide entirely the question of its practicability. It is well known, that the principle has been admitted, to some extent, into our own treaty stipulations ; and we are at this moment enjoying, in various ways, the benefits naturally resulting from a course so conciliatory and wise. And undoubtedly instances, more numerous and more important, can be found in the diplomatic history of some other nations.

In connection with this view of the subject, I will introduce some brief statements from a writer on the law of nations. "The kings of Denmark," says Vattel, Book I, Chap. 4, "have formerly condescended, by solemn treaties, to refer to those of Sweden, the differences, that might arise between them and their Senate. This the kings of Sweden have also done with regard to those of Denmark. The princes and states of West Friesland, and the burghesses of Embden, have, in the same manner, constituted the republic of the United Provinces the judge of their differences. The princes of Neufchatel, established, in 1406, the Canton of Berne, the judge and perpetual arbiter of their disputes."—Why have the States of Switzerland been in the enjoyment of peace for a number of centuries, with a few short exceptions, while the other nations of Europe have been almost constantly involved in war? We have the solution of this question in the following statement from the same writer, Book II, Chap. 18. After remarking, that arbitration is a method of settling international difficulties, which is very reasonable, and very conformable to the law of nature, he goes on to state as follows. "The Swiss have had the precaution, in all their alliances among themselves, and even in those they have contracted with the neighboring powers, to agree beforehand on the manner, in which their disputes were to be submitted to arbitrators, in case they could not adjust them in an amicable manner. This wise precaution has not a little contributed to maintain the Helvetic republic in that flourishing state, which secures its liberty, and renders it respectable throughout Europe."

In bringing the principle of arbitration, therefore, before our rulers, and before the people of our great republic, we have this important advantage, that we can truly say, we propose nothing untried, nothing unprecedented, nothing at variance with the law of nations, nothing inconsistent with national honor.

IV. I would say, further, that there is vastly more power in the principle of international arbitration than is commonly supposed. Reference has already been made to the foundation of the strength of this principle, viz., in our mental nature, and in the highest part of our mental nature, the moral sensibility. The more common and popular expression for the basis of the principle is the *national honor*. Without attempting to analyze the elementary conceptions involved in that high and cherished expression, who can doubt, that a nation's honor,

especially a Christian nation's is a tower of strength? The principle of honor in individual man, which pronounces the violation of his promise disgraceful in the highest degree, is a strong one; but when individual honor is united and consolidated with individual honor, in the vast aggregate of national principle and national moral reputation, it furnishes, within the real scope of its operation, a stronger protection, than combined fleets and armies. What Englishman does not repose, with a confidence strong as the everlasting hills, on England's honor? What American would not sink into the dust with shame, if he were compelled to doubt, even for a moment, of the fulfilment of the pledged promise of his glorious country? Let, then, the word, the pledged promise of England or the United States of America, that they will submit their difficulties to arbitration, be incorporated into their treaties; and it will accomplish greater and more certain results, than the martial skill of their Washingtons and Wellingtons.

V. I observe, further, that the favorable results, connected with the proposed attempt to introduce the principle of arbitration into treaties, will be found to be such as greatly to commend it. One favorable result, in particular, of this course will be, that it will tend to familiarize the public mind with the great truth, that international, as well as municipal and personal difficulties, may be brought to a termination by other means than brute force. It must be admitted, that, to the great mass of men, who have always been in the habit of associating the decision of national questions with war only, this idea is not a very general or influential one at present; but it is gradually taking its position among the fundamental convictions of the human mind; and, like every other leading element of thought, which has truth for its basis, it cannot exist without power. A Congress of Nations will in its results be found to be practically ineffectual, until the public has, as a general thing, received and appreciated this idea. And probably nothing will contribute so effectually to its reception and its just appreciation, as the general adoption into treaties of the principle of arbitration. Instead, therefore, of this movement standing in the way of an international congress, as some may be inclined to think, I regard it as one of the natural and almost necessary preparations to that great result.

But the great and crowning honor of the introduction of this principle, while it does not operate on so wide a scale as a

Congress of Nations, is, that it makes the particular nation, which adopts it, practically and really a *peace nation*. Such a people stands out before the world in the elevated and honorable position of a nation, that estimates peace at its true value, and is disposed to take every practicable measure to secure it. And there is every reason to believe, that it will not only possess the enviable reputation of a nation disposed to peace; but the still more desirable reality. It will be, in reality, a peaceable nation. Unburdened by heavy taxation, prospered in its agriculture and arts, honored in its principles and practice, it will add to the possession of a multitude of inferior advantages the crowning blessing of a favoring Providence.

With these views of the matter, I take the liberty to suggest to my brethren of the Peace Society, whether it might not be well to give immediate attention and action to this great subject. It is true, something has already been done; the subject has been favorably introduced to the notice of a few of the leading men in the United States; a beginning has been made; but it is only a beginning. It seems to me, that personal efforts should be more extensively made; that essays should be written on this particular topic; that petitions should be sent by the officers of the Peace Society to the Senate and the President of the United States; and that our lecturers should always have printed petitions to be presented by them for signatures at the close of their lectures; in a word, that specific efforts should be made for bringing this particular thing before the whole people. I may be in an error, and I stand ready to be corrected by the suggestions of others; but I must confess, it is difficult for me to exaggerate to my own mind the beneficial results, which, at the present propitious moment, would be likely to accrue from such a course.

---

#### FOREIGN MOVEMENTS.

##### GENERAL PEACE CONVENTION IN LONDON.

On this subject the Committee of the London Peace Society, having issued for the purpose, five or six hundred letters of invitation to distinguished friends of peace in the United Kingdom, held a conference on the 14th of May, and came, after a free and full interchange of views, to a unanimous conclusion in favor of a General Convention on the subject of peace, and appointed a large committee to fix the time, and make the requisite arrangements. The Herald of Peace for July